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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 55017-8122						
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]" on <u>October 19, 2005</u>.</p> <p>Signature _____</p> <p>Typed or printed name <u>Clyde L. Smith, No. 46,292</u></p>								
<p>In re Application of <u>Aitken et al.</u></p> <table border="1"> <tr> <td>Application Number <u>09/909,427</u></td> <td>Filed <u>July 19, 2001</u></td> </tr> <tr> <td colspan="2">For <u>TEST DEVICE</u></td> </tr> <tr> <td>Group Art Unit <u>1743</u></td> <td>Examiner <u>Cross, LaToya I.</u></td> </tr> </table>			Application Number <u>09/909,427</u>	Filed <u>July 19, 2001</u>	For <u>TEST DEVICE</u>		Group Art Unit <u>1743</u>	Examiner <u>Cross, LaToya I.</u>
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<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p>								
<p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) <u>\$ 500.00</u>.</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$ _____</u>.</p> <p><input type="checkbox"/> A check in the amount of the _____ fee is enclosed. <u>10/26/2005 BABRAHA1 00000001 200823 09909427</u></p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <u>02 FC:1401 500.00 DA</u></p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge the fee of <u>\$500.00</u> in this application to Deposit Account No. <u>20-0823</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>20-0823</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p>								
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<p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).</p> <p><input checked="" type="checkbox"/> attorney or agent of record.</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____</p>								
 <u>Clyde L. Smith, No. 46,292</u> Typed or printed name <u>October 19, 2005</u> Date								
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>								
<p><input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>								

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